

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office.....001 29 1974.....  
 Returned to applicant for correction.....DEC 4 1974.....  
 Corrected application filed.....DEC 17 1974.....  
 Map filed.....DEC 27 1974.....

The applicant.....Richard M. Swallow.....  
 So. Spring Valley Rte....., of.....Ely....., City or Town  
Street and No. or P.O. Box No.  
 Nevada 89301....., hereby makes application for permission to appropriate the public  
State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....

1. The source of the proposed appropriation is.....Raised Spring, also called Ray.....  
Name of stream, lake or other source.  
 Spring.....
2. The amount of water applied for is.....2.5.....second-feet  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet.....acre-feet
3. The water to be used for.....Irrigation and domestic.....  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
  - (a) Irrigation (state number of acres to be irrigated).....550 acres; 160 acres primary and  
 390 acres supplemental
  - (b) Stockwater (state number and kinds of animals to be watered).....
  - (c) Other use (describe fully under "No. 12. Remarks").....
  - (d) Power:
    - (1) Horsepower developed.....
    - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of.....  
 Section 20, T. 13 N., R. 68 E., MDM, unsurveyed, or at a point from.....  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
 which the Northwest corner of Section 23, T. 13 N., R. 67 E., MDM, bears  
it should be stated. North 77° 35' 50" West a distance of 17,341.61 feet.
6. Place of use.....Primary use in the NE $\frac{1}{4}$  of Section 34 and supplemental.....  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
 use in SW $\frac{1}{4}$ , S $\frac{1}{2}$  of NW $\frac{1}{4}$ , NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 26 and N $\frac{1}{2}$  of NE $\frac{1}{4}$ ,  
 SW $\frac{1}{4}$  of NE $\frac{1}{2}$  of Section 27, all in T. 13 N., R. 67 E., MDM.....
7. Use will begin about.....January 1st.....and end about.....December 31st....., of each year.  
Day and Month  
Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.).....through ditches and pipe lines.....

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$8,000.00
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is for all unappropriated waters under existing applications and will be used for primary waters in the NE¼ of Section 34, T.13N., R.67E., MDM, and for supplemental waters in the balance of 390 acres in the proposed place of use that is presently covered under applications in good standing.

Applicant.....Richard M. Swallow

By s/ Kenneth L. Haskew  
Kenneth L. Haskew, 614 High St.  
Ely, Nevada 89301

Compared.....cv/ga

Pro. 3-3-75 by El Tejon Cattle Co.

DENIAL.....OF STATE ENGINEER

deny

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ the same, subject to the following limitations and conditions:

Applications 28841, 28842, 28843, 28844, 28845, 28846, 28847, 28848, 28850, 28851, 28852, 28853, 29107, 29108, 29109, 29110, 29111, 29112, 29113 and 29114 are hereby denied on the grounds that it would not be in the public interest to grant permits on sources where there is not sufficient flow to support the quantity of water requested under the applications. No ruling is made on the merits of the protests filed by El Tejon Cattle Company.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....  
Completion of work filed.....  
Proof of beneficial use filed.....  
Cultural map filed.....  
Certificate No.....Issued.....  
Recorded.....Bk.....Page.....  
.....County Recorder

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 1st day of April

A.D. 1997

*[Signature]*  
State Engineer